IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7869 of 2005

Between:

P. Aruna W/o. Gopi,
Musalipedu Village, Yerpedu Mandal, Chittoor District.

..... PETITIONER

AND

1 The Joint Collector, Chittoor.
2 The Revenue Divisional Officer, Tirupati, Chittoor District.
3 The Mandal Revenue Officer, Yerpedu Mandal, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ, more particularly one in the nature of writ of Mandamus declaring the order of the 2nd respondent in Roc.C/440/05 dt. 7-3-05, where under the authorization of the petitioner for running the F.P. Shop of Musilipedu is placed under suspension and further action of the 1st Respondent in not passing any orders either on stay petition or on appeal filed by the petitioner as illegal, arbitrary and violative of principles of natural justice and contrary to the provisions of A.P. State Public Distribution System (Control) Order, 2001 and set-aside the order of the 2nd respondent in Roc.No. C/440/05 dt. 7-3-05 and pass such other order or orders in the interests of justice.

Counsel for the Petitioner: MR.V.SUDHAKAR REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORAL ORDER:

Heard both sides. Perused the material placed before me.

The grievance of the petitioner is that the appointing authority, having issued show cause notice, without waiting for the reply to be submitted by the petitioner, passed the impugned proceedings keeping her authorization as a Fair Price Shop dealer under suspension, pending enquiry.

However, the grievance of the petitioner is that an appeal has been preferred and the same is pending; and along with the said appeal, she filed an application seeking interim stay of the order passed by the appointing authority, but the same was not considered so far. Hence the present writ petition.

As already noticed, the appointing authority, obviously passed the order of suspension even before the completion of the period granted to the petitioner to submit her explanation.

Having regard to the facts and circumstances of the case, the order of suspension dated 7-3-2005, passed by the second respondent shall remain suspended pending disposal of the appeal.

With the above directions, the writ petition is disposed of at the stage of admission. No costs.

08-04-2005

Note:

Operative portion of the

Order may be given on

Wire at party's cost.

B/0 ***KVSN***

To

1 The Joint Collector, Chittoor.
2 The Revenue Divisional Officer, Tirupati, Chittoor District.
3 The Mandal Revenue Officer, Yerpedu Mandal, Chittoor District.

4 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

5 Two CD copies.